

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

| | | |
|------------------------|---|---------------------------|
| UNITED STATES, et al., |) | |
| |) | |
| Plaintiffs, |) | |
| v. |) | No. 1:23-cv-00108-LMB-JFA |
| |) | |
| GOOGLE LLC, |) | |
| |) | |
| Defendant. |) | |

JOINT MOTION FOR PRE-TRIAL SCHEDULE AND PROCEDURES

Pursuant to Rule 16(b)(4) of the Federal Rules of Civil Procedure and Local Civil Rule 16(B), Plaintiffs and Defendant jointly move to supplement the Court’s scheduling order (ECF No. 1428) to establish additional deadlines and procedures to govern pre-trial proceedings in this case. As set forth in more detail in the attached proposed order, the parties jointly propose deadlines and procedures similar in form to those the Court adopted during the liability phase of this case, including pre-trial deadlines and procedures relating to witness lists, exhibit lists, deposition designations, confidentiality, and evidentiary motions. There is good cause to adopt these deadlines and procedures because they will promote the orderly and efficient adjudication of this remedies phase, as they did during the liability phase.

In addition to entering the attached proposed order, the parties respectfully raise three additional issues relating to the conduct of the forthcoming remedies trial:

1. Trial duration. For scheduling purposes, based on discovery and expert disclosures to date, Plaintiffs estimate that their case in chief will last between 4 and 6 trial days, and Google estimates that its case in chief will last between 4 and 5 trial days.¹

¹ The length of Google’s case in chief will depend in part on the length of Plaintiffs’ case in chief, and the length of Plaintiffs’ rebuttal case will depend in part on the length and substance of Google’s case in chief.

2. **Opening statements.** To aid the Court in evaluating the parties' evidence and arguments, the parties respectfully request the opportunity to present opening statements of no longer than thirty (30) minutes per side, as they did during the liability trial.

3. **Courtroom seating.** During the liability trial, the Court reserved one row in the courtroom gallery for Google's use, and Google respectfully requests that the Court reserve two additional rows in the gallery (for a total of three rows) for Google's use during the remedies trial.

WHEREFORE, the parties respectfully request that the Court grant this relief. A proposed order is submitted herewith.

WAIVER OF ORAL ARGUMENT:

The parties waive oral argument on this procedural motion.

JOINTLY SUBMITTED this 5th day of August 2025:

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